

SECOND REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]

# SENATE BILL NO. 1038

94TH GENERAL ASSEMBLY  
2008

4464S.01T

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## AN ACT

To repeal sections 130.016, 130.021, 130.037, 130.050 and 130.072, RSMo, and section 130.032 as enacted by conference committee substitute no. 2 for house substitute for house committee substitute for senate committee substitute for senate bill no. 16, eighty-ninth general assembly, first regular session, and section 130.032 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof six new sections relating to campaign finance.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 130.016, 130.021, 130.037, 130.050 and 130.072, 2 RSMo, and section 130.032 as enacted by conference committee substitute no. 2 3 for house substitute for house committee substitute for senate committee 4 substitute for senate bill no. 16, eighty-ninth general assembly, first regular 5 session, and section 130.032 as enacted by conference committee substitute for 6 senate substitute for house committee substitute for house bill no. 1900, ninety- 7 third general assembly, second regular session, are repealed and six new sections 8 enacted in lieu thereof, to be known as sections 130.016, 130.021, 130.037, 9 130.044, 130.050 and 130.072 to read as follows:

130.016. 1. No candidate for statewide elected office, general assembly, 2 or municipal office in a city with a population of more than one hundred thousand 3 shall be required to comply with the requirements to file a statement of 4 organization or disclosure reports of contributions and expenditures for any 5 election in which neither the aggregate of contributions received nor the 6 aggregate of expenditures made on behalf of such candidate exceeds five hundred 7 dollars and no single contributor, other than the candidate, has contributed more

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

8 than [the amount of the limitation on contributions to elect an individual to the  
9 office of state representative as calculated in subsection 2 of section 130.032]  
10 **three hundred twenty-five dollars**, provided that:

11 (1) The candidate files a sworn exemption statement with the appropriate  
12 officer that the candidate does not intend to either receive contributions or make  
13 expenditures in the aggregate of more than five hundred dollars or receive  
14 contributions from any single contributor, other than the candidate, that  
15 aggregate more than [the amount of the limitation on contributions to elect an  
16 individual to the office of state representative as calculated in subsection 2 of  
17 section 130.032] **three hundred twenty-five dollars**, and that the total of all  
18 contributions received or expenditures made by the candidate and all committees  
19 or any other person with the candidate's knowledge and consent in support of the  
20 candidacy will not exceed five hundred dollars and that the aggregate of  
21 contributions received from any single contributor will not exceed the amount of  
22 the limitation on contributions to elect an individual to the office of state  
23 representative as calculated in subsection 2 of section 130.032. Such exemption  
24 statement shall be filed no later than the date set forth in section 130.046 on  
25 which a disclosure report would otherwise be required if the candidate does not  
26 file the exemption statement. The exemption statement shall be filed on a form  
27 furnished to each appropriate officer by the executive director of the Missouri  
28 ethics commission. Each appropriate officer shall make the exemption statement  
29 available to candidates and shall direct each candidate's attention to the  
30 exemption statement and explain its purpose to the candidate; and

31 (2) The sworn exemption statement includes a statement that the  
32 candidate understands that records of contributions and expenditures must be  
33 maintained from the time the candidate first receives contributions or makes  
34 expenditures and that an exemption from filing a statement of organization or  
35 disclosure reports does not exempt the candidate from other provisions of this  
36 chapter. Each candidate described in this subsection who files a statement of  
37 exemption shall file a statement of limited activity for each reporting period  
38 described in section 130.046.

39 2. Any candidate who has filed an exemption statement as provided in  
40 subsection 1 of this section shall not accept any contribution or make any  
41 expenditure in support of the person's candidacy, either directly or indirectly or  
42 by or through any committee or any other person acting with the candidate's  
43 knowledge and consent, which would cause such contributions or expenditures to

44 exceed the limits specified in subdivision (1) of subsection 1 of this section unless  
45 the candidate later rejects the exemption pursuant to subsection 3 of this  
46 section. Any contribution received in excess of such limits shall be returned to  
47 the donor or transmitted to the state treasurer to escheat to the state.

48         3. If, after filing the exemption statement provided for in this section, the  
49 candidate subsequently determines the candidate wishes to exceed any of the  
50 limits in subdivision (1) of subsection 1 of this section, the candidate shall file a  
51 notice of rejection of the exemption with the appropriate officer; however, such  
52 rejection shall not be filed later than thirty days before election. A notice of  
53 rejection of exemption shall be accompanied by a statement of organization as  
54 required by section 130.021 and any other statements and reports which would  
55 have been required if the candidate had not filed an exemption statement.

56         4. A primary election and the immediately succeeding general election are  
57 separate elections, and restrictions on contributions and expenditures set forth  
58 in subsection 2 of this section shall apply to each election; however, if a successful  
59 primary candidate has correctly filed an exemption statement prior to the  
60 primary election and has not filed a notice of rejection prior to the date on which  
61 the first disclosure report applicable to the succeeding general election is required  
62 to be filed, the candidate shall not be required to file an exemption statement for  
63 that general election if the limitations set forth in subsection 1 of this section  
64 apply to the succeeding general election.

65         5. A candidate who has an existing candidate committee formed for a prior  
66 election for which all statements and reports required by this chapter have been  
67 properly filed shall be eligible to file the exemption statement as provided in  
68 subsection 1 of this section and shall not be required to file the disclosure reports  
69 pertaining to the election for which the candidate is eligible to file the exemption  
70 statement if the candidate and the treasurer or deputy treasurer of such existing  
71 candidate committee continue to comply with the requirements, limitations and  
72 restrictions set forth in subsections 1, 2, 3 and 4 of this section. The exemption  
73 permitted by this subsection does not exempt a candidate or the treasurer of the  
74 candidate's existing candidate committee from complying with the requirements  
75 of subsections 6 and 7 of section 130.046 applicable to a prior election.

76         6. No candidate for supreme court, circuit court, or associate circuit court,  
77 or candidate for political party office, or for county office or municipal office in a  
78 city of one hundred thousand or less, or for any special purpose district office  
79 shall be required to file an exemption statement pursuant to this section in order

80 to be exempted from forming a committee and filing disclosure reports required  
81 of committees pursuant to this chapter if the aggregate of contributions received  
82 or expenditures made by the candidate and any other person with the candidate's  
83 knowledge and consent in support of the person's candidacy does not exceed one  
84 thousand dollars and the aggregate of contributions from any single contributor  
85 does not exceed [the amount of the limitation on contributions to elect an  
86 individual to the office of state representative as calculated in subsection 2 of  
87 section 130.032] **three hundred twenty-five dollars**. No candidate for any  
88 office listed in this subsection shall be excused from complying with the  
89 provisions of any section of this chapter, other than the filing of an exemption  
90 statement under the conditions specified in this subsection.

91 7. If any candidate for an office listed in subsection 6 of this section  
92 exceeds the limits specified in subsection 6 of this section, the candidate shall  
93 form a committee no later than thirty days prior to the election for which the  
94 contributions were received or expended which shall comply with all provisions  
95 of this chapter for committees.

96 8. No member of or candidate for the general assembly shall form a  
97 candidate committee for the office of speaker of the house of representatives or  
98 president pro tem of the senate.

130.021. 1. Every committee shall have a treasurer who, except as  
2 provided in subsection 10 of this section, shall be a resident of this state **and**  
3 **reside in the district or county in which the committee sits**. A committee  
4 may also have a deputy treasurer who, except as provided in subsection 10 of this  
5 section, shall be a resident of this state **and reside in the district or county**  
6 **in which the committee sits**, to serve in the capacity of committee treasurer  
7 in the event the committee treasurer is unable for any reason to perform the  
8 treasurer's duties.

9 2. Every candidate for offices listed in subsection 1 of section 130.016 who  
10 has not filed a statement of exemption pursuant to that subsection and every  
11 candidate for offices listed in subsection 6 of section 130.016 who is not excluded  
12 from filing a statement of organization and disclosure reports pursuant to  
13 subsection 6 shall form a candidate committee and appoint a  
14 treasurer. Thereafter, all contributions on hand and all further contributions  
15 received by such candidate and any of the candidate's own funds to be used in  
16 support of the person's candidacy shall be deposited in a candidate committee  
17 depository account established pursuant to the provisions of subsection 4 of this

18 section, and all expenditures shall be made through the candidate, treasurer or  
19 deputy treasurer of the person's candidate committee. Nothing in this chapter  
20 shall prevent a candidate from appointing himself or herself as a committee of  
21 one and serving as the person's own treasurer, maintaining the candidate's own  
22 records and filing all the reports and statements required to be filed by the  
23 treasurer of a candidate committee.

24 3. A candidate who has more than one candidate committee supporting  
25 the person's candidacy shall designate one of those candidate committees as the  
26 committee responsible for consolidating the aggregate contributions to all such  
27 committees under the candidate's control and direction as required by section  
28 130.041.

29 4. (1) Every committee shall have a single official fund depository within  
30 this state which shall be a federally or state-chartered bank, a federally or  
31 state-chartered savings and loan association, or a federally or state-chartered  
32 credit union in which the committee shall open and thereafter maintain at least  
33 one official depository account in its own name. An "official depository account"  
34 shall be a checking account or some type of negotiable draft or negotiable order  
35 of withdrawal account, and the official fund depository shall, regarding an official  
36 depository account, be a type of financial institution which provides a record of  
37 deposits, canceled checks or other canceled instruments of withdrawal evidencing  
38 each transaction by maintaining copies within this state of such instruments and  
39 other transactions. All contributions which the committee receives in money,  
40 checks and other negotiable instruments shall be deposited in a committee's  
41 official depository account. Contributions shall not be accepted and expenditures  
42 shall not be made by a committee except by or through an official depository  
43 account and the committee treasurer, deputy treasurer or  
44 candidate. Contributions received by a committee shall not be commingled with  
45 any funds of an agent of the committee, a candidate or any other person, except  
46 that contributions from a candidate of the candidate's own funds to the person's  
47 candidate committee shall be deposited to an official depository account of the  
48 person's candidate committee. No expenditure shall be made by a committee  
49 when the office of committee treasurer is vacant except that when the office of a  
50 candidate committee treasurer is vacant, the candidate shall be the treasurer  
51 until the candidate appoints a new treasurer.

52 (2) A committee treasurer, deputy treasurer or candidate may withdraw  
53 funds from a committee's official depository account and deposit such funds in one

54 or more savings accounts in the committee's name in any bank, savings and loan  
55 association or credit union within this state, and may also withdraw funds from  
56 an official depository account for investment in the committee's name in any  
57 certificate of deposit, bond or security. Proceeds from interest or dividends from  
58 a savings account or other investment or proceeds from withdrawals from a  
59 savings account or from the sale of an investment shall not be expended or  
60 reinvested, except in the case of renewals of certificates of deposit, without first  
61 redepositing such proceeds in an official depository account. Investments, other  
62 than savings accounts, held outside the committee's official depository account at  
63 any time during a reporting period shall be disclosed by description, amount, any  
64 identifying numbers and the name and address of any institution or person in  
65 which or through which it is held in an attachment to disclosure reports the  
66 committee is required to file. Proceeds from an investment such as interest or  
67 dividends or proceeds from its sale, shall be reported by date and amount. In the  
68 case of the sale of an investment, the names and addresses of the persons  
69 involved in the transaction shall also be stated. Funds held in savings accounts  
70 and investments, including interest earned, shall be included in the report of  
71 money on hand as required by section 130.041.

72 5. The treasurer or deputy treasurer acting on behalf of any person or  
73 organization or group of persons which is a committee by virtue of the definitions  
74 of "committee" in section 130.011 and any candidate who is not excluded from  
75 forming a committee in accordance with the provisions of section 130.016 shall  
76 file a statement of organization with the appropriate officer within twenty days  
77 after the person or organization becomes a committee but no later than the date  
78 for filing the first report required pursuant to the provisions of section  
79 130.046. The statement of organization shall contain the following information:

80 (1) The name, mailing address and telephone number, if any, of the  
81 committee filing the statement of organization. If the committee is deemed to be  
82 affiliated with a connected organization as provided in subdivision (11) of section  
83 130.011, the name of the connected organization, or a legally registered fictitious  
84 name which reasonably identifies the connected organization, shall appear in the  
85 name of the committee. If the committee is a candidate committee, the name of  
86 the candidate shall be a part of the committee's name;

87 (2) The name, mailing address and telephone number of the candidate;

88 (3) The name, mailing address and telephone number of the committee  
89 treasurer, and the name, mailing address and telephone number of its deputy

90 treasurer if the committee has named a deputy treasurer;

91 (4) The names, mailing addresses and titles of its officers, if any;

92 (5) The name and mailing address of any connected organizations with  
93 which the committee is affiliated;

94 (6) The name and mailing address of its depository, and the name and  
95 account number of each account the committee has in the depository;

96 (7) Identification of the major nature of the committee such as a candidate  
97 committee, campaign committee, continuing committee, political party committee,  
98 incumbent committee, or any other committee according to the definition of  
99 "committee" in section 130.011;

100 (8) In the case of the candidate committee designated in subsection 3 of  
101 this section, the full name and address of each other candidate committee which  
102 is under the control and direction of the same candidate, together with the name,  
103 address and telephone number of the treasurer of each such other committee;

104 (9) The name and office sought of each candidate supported or opposed by  
105 the committee;

106 (10) The ballot measure concerned, if any, and whether the committee is  
107 in favor of or opposed to such measure.

108 6. A committee may omit the information required in subdivisions (9) and  
109 (10) of subsection 5 of this section if, on the date on which it is required to file a  
110 statement of organization, the committee has not yet determined the particular  
111 candidates or particular ballot measures it will support or oppose. [Any  
112 contribution received over the allowable contribution limits described in section  
113 130.032 shall be returned to the contributor by the committee within five  
114 business days of the declaration of candidacy or position on a candidate or a  
115 particular ballot measure of the committee.]

116 7. A committee which has filed a statement of organization and has not  
117 terminated shall not be required to file another statement of organization, except  
118 that when there is a change in any of the information previously reported as  
119 required by subdivisions (1) to (8) of subsection 5 of this section an amended  
120 statement of organization shall be filed within twenty days after the change  
121 occurs, but no later than the date of the filing of the next report required to be  
122 filed by that committee by section 130.046.

123 8. Upon termination of a committee, a termination statement indicating  
124 dissolution shall be filed not later than ten days after the date of dissolution with  
125 the appropriate officer or officers with whom the committee's statement of

126 organization was filed. The termination statement shall include: the distribution  
127 made of any remaining surplus funds and the disposition of any deficits; and the  
128 name, mailing address and telephone number of the individual responsible for  
129 preserving the committee's records and accounts as required in section 130.036.

130           9. Any statement required by this section shall be signed and attested by  
131 the committee treasurer or deputy treasurer, and by the candidate in the case of  
132 a candidate committee.

133           10. A committee domiciled outside this state shall be required to file a  
134 statement of organization and appoint a treasurer residing in this state and open  
135 an account in a depository within this state; provided that either of the following  
136 conditions prevails:

137           (1) The aggregate of all contributions received from persons domiciled in  
138 this state exceeds twenty percent in total dollar amount of all funds received by  
139 the committee in the preceding twelve months; or

140           (2) The aggregate of all contributions and expenditures made to support  
141 or oppose candidates and ballot measures in this state exceeds one thousand five  
142 hundred dollars in the current calendar year.

143           11. If a committee domiciled in this state receives a contribution of one  
144 thousand five hundred dollars or more from any committee domiciled outside of  
145 this state, the committee domiciled in this state shall file a disclosure report with  
146 the commission. The report shall disclose the full name, mailing address,  
147 telephone numbers and domicile of the contributing committee and the date and  
148 amount of the contribution. The report shall be filed within forty-eight hours of  
149 the receipt of such contribution if the contribution is received after the last  
150 reporting date before the election.

151           **12. Each legislative and senatorial district committee shall retain**  
152 **only one address in the district it sits for the purpose of receiving**  
153 **contributions.**

          130.037. Any candidate may file a supplemental report containing  
2 information required pursuant to section 130.041, for the purposes of this  
3 section. Candidates whose supplemental report filed within thirty days of August  
4 28, 1997, or whose report filed pursuant to subdivision (2) of subsection 1 of  
5 section 130.046 reflects outstanding obligations in excess of moneys on hand, may  
6 convert their campaign committee to a debt service committee as provided in this  
7 section. If a debt service committee is formed, the committee may accept  
8 contributions from any person [as long as the aggregate contribution from such

9 person does not exceed the limits set, pursuant to section 130.032, for the  
10 aggregating period, pursuant to subdivision (1) of subsection 2 of section 130.041,  
11 in which the debt was incurred]. A person who contributes to a debt service  
12 committee of a candidate may also contribute to the candidate's campaign  
13 committee for a succeeding election [up to the amounts specified in section  
14 130.032]. The treasurer and the candidate shall terminate the debt service  
15 committee pursuant to section 130.021 when the contributions received exceed the  
16 amount of the debt, and within thirty days the committee shall file disclosure  
17 reports pursuant to section 130.041 and shall return any excess moneys received  
18 to the contributor or contributors, if known, otherwise such moneys shall escheat  
19 to the state. No debt service committee shall be in existence more than eighteen  
20 months.

**130.044. 1. All individuals and committees required to file  
2 disclosure reports under section 130.041 shall electronically report any  
3 contribution by any single contributor which exceeds five thousand  
4 dollars to the Missouri ethics commission within forty eight hours of  
5 receiving the contribution. Such reports shall contain the same content  
6 required under section 130.041 and shall be filed in accordance with  
7 the standards established by the commission for electronic filing and  
8 other rules the commission may deem necessary to promulgate for the  
9 effective administration of this section.**

10 **2. Any rule or portion of a rule, as that term is defined in section  
11 536.010, RSMo, that is created under the authority delegated in this  
12 section shall become effective only if it complies with and is subject to  
13 all of the provisions of chapter 536, RSMo, and, if applicable, section  
14 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable  
15 and if any of the powers vested with the general assembly pursuant to  
16 chapter 536, RSMo, to review, to delay the effective date, or to  
17 disapprove and annul a rule are subsequently held unconstitutional,  
18 then the grant of rulemaking authority and any rule proposed or  
19 adopted after August 28, 2008, shall be invalid and void.**

130.050. 1. An out-of-state committee which, according to the provisions  
2 of subsection 10 of section 130.021, is not required to file a statement of  
3 organization and is not required to file the full disclosure reports required by  
4 section 130.041 shall file reports with the Missouri ethics commission according  
5 to the provisions of this subsection if the committee makes contributions or

6 expenditures in support of or in opposition to candidates or ballot measures in  
7 this state in any election covered by this chapter or makes contributions to any  
8 committee domiciled in this state. An initial report shall be filed on or within  
9 fourteen days prior to the date such out-of-state committee first makes a  
10 contribution or expenditure in this state, and thereafter reports shall be filed at  
11 the times and for the reporting periods prescribed in subsection 1 of section  
12 130.046. Each report shall contain:

13 (1) The full name, address and domicile of the committee making the  
14 report and the name, residential and business addresses, domicile and telephone  
15 numbers of the committee's treasurer;

16 (2) The name and address of any entity such as a labor union, trade or  
17 business or professional association, club or other organization or any business  
18 entity with which the committee is affiliated;

19 (3) A statement of the total dollar amount of all funds received by the  
20 committee in the current calendar year and a statement of the total contributions  
21 in the same period from persons domiciled in this state and a list by name,  
22 address, date and amount of each Missouri resident who contributed an aggregate  
23 of more than two hundred dollars in the current calendar year;

24 (4) A list by name, address, date and amount regarding any contributor  
25 to the out-of-state committee, regardless of state of residency, who made a  
26 contribution during the reporting period [which was restricted or designated in  
27 whole or in part for use in supporting or opposing a candidate, ballot measure or  
28 committee in this state or was restricted for use in this state at the committee's  
29 discretion, or a statement that no such contributions were received];

30 (5) A statement as to whether the committee is required to file reports  
31 with the Federal Election Commission, and a listing of agencies in other states  
32 with which the committee files reports, if any;

33 (6) A separate listing showing contributions made in support of or  
34 opposition to each candidate or ballot measure in this state, together with the  
35 date and amount of each contribution;

36 (7) A separate listing showing contributions made to any committee  
37 domiciled in this state with the date and amount of each contribution.

38 2. In the case of a political party committee's selection of an individual to  
39 be the party's nominee for public office in an election covered by this chapter, any  
40 individual who seeks such nomination and who is a candidate according to the  
41 definition of the term candidate in section 130.011 shall be required to comply

42 with all requirements of this chapter; except that, for the purposes of this  
43 subsection, the reporting dates and reporting periods in section 130.046 shall not  
44 apply, and the first reporting date shall be no later than the fifteenth day after  
45 the date on which a nomination covered by this subsection was made and for the  
46 period beginning on the date the individual became a candidate, as the term  
47 candidate is defined in section 130.011, and closing on the tenth day after the  
48 date the nomination was made, with subsequent reports being made as closely as  
49 practicable to the times required in section 130.046.

50         3. The receipt of any late contribution or loan of more than two hundred  
51 fifty dollars by a candidate committee supporting a candidate for statewide office  
52 or by any other committee shall be reported to the appropriate officer no later  
53 than twenty-four hours after receipt. For purposes of this subsection the term  
54 "late contribution or loan" means a contribution or loan received after the closing  
55 date of the last disclosure report required to be filed before an election but  
56 received prior to the date of the election itself. The disclosure report of a late  
57 contribution may be made by any written means of communication, setting forth  
58 the name and address of the contributor or lender and the amount of the  
59 contribution or loan and need not contain the signatures and certification  
60 required for a full disclosure report described in section 130.041. A late  
61 contribution or loan shall be included in subsequent disclosure reports without  
62 regard to any special reports filed pursuant to this subsection.

130.072. Any person who knowingly accepts or makes a contribution or  
2 makes an expenditure in violation of any provision of this chapter or who  
3 knowingly conceals a contribution or expenditure by filing a false or incomplete  
4 report or by not filing a required report, in addition to or in the alternative to any  
5 other penalty imposed by this chapter, **[may] shall** be held liable to the state in  
6 civil penalties in **[twice the] an amount [of] equal to** any such contribution or  
7 expenditure[, not to exceed a total amount of five thousand dollars].

**[130.032. 1. Monetary contributions shall not be made from**  
2 any political party committee as defined in subdivision (25) of  
3 section 130.011 to any candidate committee, continuing committee,  
4 or political party committee. Nothing in this section shall be  
5 construed to limit any candidate committee from making  
6 contributions to any other committee.

7         2. Any candidate for the office of state representative, the  
8 office of state senator, or a statewide elected office shall not accept

9 any contributions from the first Wednesday after the first Monday  
10 in January through the first Friday after the second Monday of  
11 May of each year at 6:00 p.m. Only candidates for special election  
12 to the house of representatives, senate, or statewide elected office  
13 may, during such time, accept contributions from the date of the  
14 candidate's nomination by his or her respective political party until  
15 thirty days after the date of the election.]

[130.032. 1. In addition to the limitations imposed  
2 pursuant to section 130.031, the amount of contributions made by  
3 or accepted from any person other than the candidate in any one  
4 election shall not exceed the following:

5 (1) To elect an individual to the office of governor,  
6 lieutenant governor, secretary of state, state treasurer, state  
7 auditor or attorney general, one thousand dollars;

8 (2) To elect an individual to the office of state senator, five  
9 hundred dollars;

10 (3) To elect an individual to the office of state  
11 representative, two hundred fifty dollars;

12 (4) To elect an individual to any other office, including  
13 judicial office, if the population of the electoral district, ward, or  
14 other unit according to the latest decennial census is under one  
15 hundred thousand, two hundred fifty dollars;

16 (5) To elect an individual to any other office, including  
17 judicial office, if the population of the electoral district, ward, or  
18 other unit according to the latest decennial census is at least one  
19 hundred thousand but less than two hundred fifty thousand, five  
20 hundred dollars; and

21 (6) To elect an individual to any other office, including  
22 judicial office, if the population of the electoral district, ward, or  
23 other unit according to the latest decennial census is at least two  
24 hundred fifty thousand, one thousand dollars.

25 2. For purposes of this subsection "base year amount" shall  
26 be the contribution limits prescribed in this section on January 1,  
27 1995. Such limits shall be increased on the first day of January in  
28 each even-numbered year by multiplying the base year amount by  
29 the cumulative consumer price index, as defined in section 104.010,

30 RSMo, and rounded to the nearest twenty-five-dollar amount, for  
31 all years since January 1, 1995.

32 3. Candidate committees, exploratory committees, campaign  
33 committees and continuing committees, other than those continuing  
34 committees which are political party committees, shall be subject  
35 to the limits prescribed in subsection 1 of this section. The  
36 provisions of this subsection shall not limit the amount of  
37 contributions which may be accumulated by a candidate committee  
38 and used for expenditures to further the nomination or election of  
39 the candidate who controls such candidate committee, except as  
40 provided in section 130.052.

41 4. Except as limited by this subsection, the amount of cash  
42 contributions, and a separate amount for the amount of in-kind  
43 contributions, made by or accepted from a political party committee  
44 in any one election shall not exceed the following:

45 (1) To elect an individual to the office of governor,  
46 lieutenant governor, secretary of state, state treasurer, state  
47 auditor or attorney general, ten thousand dollars;

48 (2) To elect an individual to the office of state senator, five  
49 thousand dollars;

50 (3) To elect an individual to the office of state  
51 representative, two thousand five hundred dollars; and

52 (4) To elect an individual to any other office of an electoral  
53 district, ward or unit, ten times the allowable contribution limit for  
54 the office sought. The amount of contributions which may be made  
55 by or accepted from a political party committee in the primary  
56 election to elect any candidate who is unopposed in such primary  
57 shall be fifty percent of the amount of the allowable contributions  
58 as determined in this subsection.

59 5. Contributions from persons under fourteen years of age  
60 shall be considered made by the parents or guardians of such  
61 person and shall be attributed toward any contribution limits  
62 prescribed in this chapter. Where the contributor under fourteen  
63 years of age has two custodial parents or guardians, fifty percent  
64 of the contribution shall be attributed to each parent or guardian,  
65 and where such contributor has one custodial parent or guardian,

66 all such contributions shall be attributed to the custodial parent or  
67 guardian.

68 6. Contributions received and expenditures made prior to  
69 January 1, 1995, shall be reported as a separate account and  
70 pursuant to the laws in effect at the time such contributions are  
71 received or expenditures made. Contributions received and  
72 expenditures made after January 1, 1995, shall be reported as a  
73 separate account from the aforementioned account and pursuant to  
74 the provisions of this chapter. The account reported pursuant to  
75 the prior law shall be retained as a separate account and any  
76 remaining funds in such account may be used pursuant to this  
77 chapter and section 130.034.

78 7. Any committee which accepts or gives contributions other  
79 than those allowed shall be subject to a surcharge of one thousand  
80 dollars plus an amount equal to the contribution per nonallowable  
81 contribution, to be paid to the ethics commission and which shall  
82 be transferred to the director of revenue, upon notification of such  
83 nonallowable contribution by the ethics commission, and after the  
84 candidate has had ten business days after receipt of notice to  
85 return the contribution to the contributor. The candidate and the  
86 candidate committee treasurer or deputy treasurer owing a  
87 surcharge shall be personally liable for the payment of the  
88 surcharge or may pay such surcharge only from campaign funds  
89 existing on the date of the receipt of notice. Such surcharge shall  
90 constitute a debt to the state enforceable under, but not limited to,  
91 the provisions of chapter 143, RSMo.]

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